

(b) the term “entity” means a partnership, association, trust, joint venture, corporation, or other organization;

(c) the term “United States person” means any United States citizen, permanent resident alien, entity organized under the laws of the United States or any jurisdiction within the United States (including foreign branches), or any person in the United States;

(d) the term “rough diamond” means all unworked diamonds classifiable in heading 7102 of the Harmonized Tariff Schedule of the United States; and

(e) the term “controlled through the Certificate of Origin regime of the Government of Sierra Leone” means accompanied by a Certificate of Origin or other documentation that demonstrates to the satisfaction of the United States Customs Service (or analogous officials of a United States territory or possession with its own customs administration) that the rough diamonds were legally exported from Sierra Leone with the approval of the Government of Sierra Leone.

Sec. 5. The Secretary of the Treasury, in consultation with the Secretary of State, is hereby authorized to take such actions, including the promulgation of rules and regulations, and to employ all powers granted to the President by IEEPA and UNPA, as may be necessary to carry out the purposes of this order. The Secretary of the Treasury may redelegate any of these functions to other officers and agencies of the United States Government. All agencies of the United States Government are hereby directed to take all appropriate measures within their authority to carry out the provisions of this order.

Sec. 6. This order is not intended to create, nor does it create, any right, benefit, or privilege, substantive or procedural, enforceable at law by a party against the United States, its agencies, officers, or any other person.

Sec. 7. This order is effective at 12:01 a.m. eastern standard time on January 19, 2001.

William J. Clinton

The White House,
January 18, 2001.

[Filed with the Office of the Federal Register, 8:45 a.m., January 22, 2001]

NOTE: This Executive order was released by the Office of the Press Secretary on January 19, and it will be published in the *Federal Register* on January 23.

Executive Order 13197— Governmentwide Accountability for Merit System Principles; Workforce Information

January 18, 2001

In an era of decentralization of Federal human resources management, it is increasingly important to ensure that merit system principles are applied consistently across the Federal Government and that the Executive branch has the ability to collect information about its workforce. The President and the public need to be assured that Federal agencies are monitoring the exercise of all human resources management authorities that have been delegated to them.

Therefore, by the authority vested in me as President by the Constitution and the laws of the United States of America, including sections 1104(a)(1), 2301(c), and 3302 of title 5, United States Code, it is hereby ordered as follows:

Section 1. Civil Service Rule V (5 CFR Part 5) is amended in section 5.2 by striking subsection (d).

Sec. 2. Civil Service Rule VII (5 CFR Part 7) is amended—

- (a) by striking section 7.2;
- (b) by redesignating sections 7.3 and 7.4 as sections 7.2 and 7.3, respectively; and
- (c) by amending the table of sections to read as follows:

“Sec.

7.1 Discretion in filling vacancies.

7.2 Reemployment rights.

7.3 Citizenship.”

Sec. 3. Two new Civil Service Rules are added at the end of Civil Service Rule VIII to read as follows:

“Part 9—Workforce Information (Rule IX)

Sec.

9.1 Definition.

9.2 Reporting workforce information.

§ 9.1 Definition.

As used in this rule, 'Executive agency' means an Executive department, a Government corporation, and an independent establishment, as those terms are defined in chapter 1 of title 5, United States Code, but does not include the Federal Bureau of Investigation, the Central Intelligence Agency, the Defense Intelligence Agency, the National Imagery and Mapping Agency, the National Security Agency, and, as determined by the President, any Executive agency or unit within an Executive agency which has as its principal function the conduct of foreign intelligence or counterintelligence activities.

§ 9.2 Reporting workforce information.

The Director of the Office of Personnel Management may require all Executive agencies to report information relating to civilian employees, including positions and employees in the competitive, excepted, and Senior Executive services, in a manner and at times prescribed by the Director. The Director shall establish standards for workforce information submissions under this section, and agencies shall ensure that their submissions meet these standards consistent with the Privacy Act. The Director may exempt from this section a specific agency or group of employees when the Director determines that an exemption is appropriate because of special circumstances.

Part 10—Agency Accountability Systems; OPM Authority To Review Personnel Management Programs (Rule X)

Sec.

10.1 Definitions.

10.2 Accountability systems.

10.3 OPM authority to review personnel management programs and practices.

§ 10.1 Definitions.

For purposes of this rule—

(a) 'agency' means an Executive agency as defined in Rule IX, but does not include a Government corporation or the General Accounting Office; and

(b) 'merit system principles' means the principles for Federal personnel management that are set forth in section 2301(b) of title 5, United States Code.

§ 10.2. Accountability systems.

The Director of the Office of Personnel Management may require an agency to es-

tablish and maintain a system of accountability for merit system principles that (1) sets standards for applying the merit system principles, (2) measures the agency's effectiveness in meeting these standards, and (3) corrects any deficiencies in meeting these standards.

§ 10.3. OPM authority to review personnel management programs and practices.

The Office of Personnel Management may review the human resources management programs and practices of any agency and report to the head of the agency and the President on the effectiveness of these programs and practices, including whether they are consistent with the merit system principles."

William J. Clinton

The White House,
January 18, 2001.

[Filed with the Office of the Federal Register, 8:45 a.m., January 24, 2001]

NOTE: This Executive order was released by the Office of the Press Secretary on January 19, and it will be published in the *Federal Register* on January 25.

Letter to Congressional Leaders Reporting on Actions Concerning Digital Computer Exports

January 18, 2001

Dear _____:

In accordance with the provisions of section 1211(d) of the National Defense Authorization Act for Fiscal Year 1998 (Public Law 105–85), I hereby notify you of my decision to establish a new level for the notification procedure for digital computers set forth in section 1211(a) of Public Law 105–85. The new level will be 85,000 millions of theoretical operations per second (MTOPS). In accordance with the provisions of section 1211(e), I hereby notify you of my decision to remove Lithuania from the list of countries covered under section 1211(b). The attached report provides the rationale supporting these decisions and fulfills the requirements of Public Law 105–85, sections 1211(d) and (e).